



Sen. Dan Kotowski

**Filed: 4/21/2015**

09900SB0274sam004

LRB099 03020 SXM 34625 a

1 AMENDMENT TO SENATE BILL 274

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 274 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Fiscal Year 2015 Emergency Act.

6 Section 5. Legislative intent. The General Assembly hereby  
7 finds and declares that the State is confronted with an  
8 unprecedented fiscal crisis. This Act is to be liberally  
9 construed and interpreted in a manner that allows the State,  
10 together with other actions taken, to address the fiscal crisis  
11 for the fiscal year ending June 30, 2015.

12 Section 10. Fund transfers.

13 (a) Notwithstanding any other provision of law, but subject  
14 to the provisions of this Act, at the direction of and upon  
15 notification from the Governor, the Comptroller shall direct

1 and the Treasurer shall transfer an amount specified by the  
2 Governor for the State's fiscal year 2015 from the following  
3 funds to any general fund held by the Treasurer:

4 Supplemental Low-Income Energy Assistance Fund

5 Food and Drug Safety Fund

6 Teacher Certificate Fee Revolving Fund

7 Grade Crossing Protection Fund

8 Financial Institution Fund

9 General Professions Dedicated Fund

10 Lobbyist Registration Administration Fund

11 Agricultural Premium Fund

12 Fire Prevention Fund

13 Illinois State Pharmacy Disciplinary Fund

14 Radiation Protection Fund

15 Hospital Licensure Fund

16 Underground Storage Tank Fund

17 Solid Waste Management Fund

18 Subtitle D Management Fund

19 Illinois State Medical Disciplinary Fund

20 Facility Licensing Fund

21 Registered Certified Public Accountants' Administration and

22 Disciplinary Fund

23 Motor Vehicle Theft Prevention Trust Fund

24 Weights and Measures Fund

25 State and Local Sales Tax Reform Fund

26 County and Mass Transit District Fund

1 Local Government Tax Fund  
2 Illinois Fisheries Management Fund  
3 Capital Development Board Revolving Fund  
4 Intercity Passenger Rail Fund  
5 Illinois Health Facilities Planning Fund  
6 Emergency Public Health Fund  
7 TOMA Consumer Protection Fund  
8 Fair and Exposition Fund  
9 State Police Vehicle Fund  
10 Nursing Dedicated and Professional Fund  
11 Underground Resources Conservation Enforcement Fund  
12 State Rail Freight Loan Repayment Fund  
13 Illinois Affordable Housing Trust Fund  
14 Home Care Services Agency Licensure Fund  
15 Fertilizer Control Fund  
16 Securities Investors Education Fund  
17 Used Tire Management Fund  
18 Natural Areas Acquisition Fund  
19 I-FLY Fund  
20 Illinois Prescription Drug Discount Program Fund  
21 ICJIA Violence Prevention Special Projects Fund  
22 Tattoo and Body Piercing Establishment Registration Fund  
23 Public Health Laboratory Services Revolving Fund  
24 Provider Inquiry Trust Fund  
25 Securities Audit and Enforcement Fund  
26 Drug Treatment Fund

1 Feed Control Fund  
2 Plumbing Licensure and Program Fund  
3 Appraisal Administration Fund  
4 Trauma Center Fund  
5 Alternate Fuels Fund  
6 Federal High Speed Rail Trust Fund  
7 Illinois State Fair Fund  
8 Agricultural Master Fund  
9 Human Services Priority Capital Program Fund  
10 State Asset Forfeiture Fund  
11 Health Facility Plan Review Fund  
12 Illinois Workers' Compensation Commission Operations Fund  
13 Workforce, Technology, and Economic Development Fund  
14 Downstate Transit Improvement Fund  
15 Renewable Energy Resources Trust Fund  
16 Energy Efficiency Trust Fund  
17 Pesticide Control Fund  
18 Partners for Conservation Fund  
19 Wireless Service Emergency Fund  
20 Death Certificate Surcharge Fund  
21 Illinois Adoption Registry and Medical  
22 Information Exchange Fund  
23 Fund for the Advancement of Education  
24 Commitment to Human Services Fund  
25 Illinois Standardbred Breeders Fund  
26 Illinois Thoroughbred Breeders Fund

1 Spinal Cord Injury Paralysis Cure Research Trust Fund  
2 Medicaid Buy-In Program Revolving Fund  
3 Home Inspector Administration Fund  
4 Real Estate Audit Fund  
5 Illinois AgriFIRST Program Fund  
6 Performance-enhancing Substance Testing Fund  
7 Bank and Trust Company Fund  
8 Natural Resources Restoration Trust Fund  
9 Illinois Power Agency Renewable Energy Resources Fund  
10 Real Estate Research and Education Fund  
11 Real Estate License Administration Fund  
12 Abandoned Residential Property Municipality Relief Fund  
13 State Police Services Fund  
14 Metabolic Screening and Treatment Fund  
15 Insurance Producer Administration Fund  
16 Coal Technology Development Assistance Fund  
17 Low-Level Radioactive Waste Facility Development and  
18 Operation Fund  
19 Low-Level Radioactive Waste Facility Closure, Post-Closure  
20 Care and Compensation Fund  
21 Illinois State Podiatric Disciplinary Fund  
22 Park and Conservation Fund  
23 Vehicle Inspection Fund  
24 Local Tourism Fund  
25 Illinois Capital Revolving Loan Fund  
26 Illinois Equity Fund

1 Public Infrastructure Construction Loan Revolving Fund  
2 Insurance Financial Regulation Fund  
3 Dram Shop Fund  
4 Illinois State Dental Disciplinary Fund  
5 ISBE Teacher Certificate Institute Fund  
6 Mental Health Fund  
7 Tobacco Settlement Recovery Fund  
8 Public Health Special State Projects Fund

9 (b) The sum of transfers made pursuant to this Section may  
10 not exceed \$26,000,000.

11 (c) No transfer pursuant to this Section may be made from  
12 (i) any federal trust fund; (ii) any amount set aside for  
13 payment of debt service; (iii) any amount set aside for the  
14 State retirement systems governed by Article 2, 14, 15, 16, or  
15 18 of the Illinois Pension Code; (iv) any fund designated for  
16 use exclusively by the legislative branch or the judicial  
17 branch, or any official or agency of the foregoing branches, or  
18 by the State Board of Elections or the State Board of  
19 Education; (v) any State fund designated for use exclusively by  
20 the Attorney General, the Secretary of State, the Comptroller,  
21 or the Treasurer without the written authorization from such  
22 official; or (vi) the Road Fund, Motor Fuel Tax Fund, and State  
23 Construction Account Fund.

24 (d) No transfer made pursuant to this Section may reduce  
25 the cumulative balance of all of the funds held by the  
26 Treasurer to an amount less than the total debt service payable

1 during the 12 months immediately following the date of the  
2 transfer on any bonded indebtedness of the State and any  
3 certificates issued under the Short Term Borrowing Act. When  
4 any of the funds from which moneys have been transferred under  
5 this Section have insufficient cash from which the State  
6 Comptroller may make expenditures properly supported by  
7 appropriations from the fund, then, at the direction of the  
8 Director of the Governor's Office of Management and Budget, the  
9 State Treasurer and State Comptroller shall transfer from the  
10 General Revenue Fund to the fund only such amount as is  
11 immediately necessary to satisfy outstanding expenditure  
12 obligations on a timely basis, subject to the provisions of the  
13 State Prompt Payment Act. All or a portion of the amounts  
14 transferred from the General Revenue Fund to a fund pursuant to  
15 the preceding sentence from time to time may be re-transferred  
16 by the State Comptroller and the State Treasurer from the  
17 receiving fund into the General Revenue Fund as soon as and to  
18 the extent that deposits are made into or received by the  
19 receiving fund. If the Director of the Governor's Office of  
20 Management and Budget determines that any transfer to the  
21 general funds from any of the funds from which moneys have been  
22 transferred under this Section either (i) jeopardizes federal  
23 funding based on a written communication from a federal  
24 official or (ii) violates an order of a court of competent  
25 jurisdiction, then the Director may order the State Treasurer  
26 and State Comptroller, in writing, to transfer from the General

1 Revenue Fund to that fund all or part of the amounts  
2 transferred from that fund under this Section.

3 Section 15. Report. Within 5 business days of each transfer  
4 made pursuant to Section 10, the Director of the Governor's  
5 Office of Management and Budget shall deliver a report to the  
6 President of the Senate, the Speaker of the House of  
7 Representatives, the Minority Leader of the Senate, and the  
8 Minority Leader of the House of Representatives that sets forth  
9 the following information:

10 (a) The date each transfer was made.

11 (b) The amount of each transfer.

12 (c) In the case of a transfer from the General Revenue Fund  
13 to a fund of origin, the amount of such transfer and the date  
14 such transfer was made.

15 (d) The end-of-day balance of both the fund of origin and  
16 the General Revenue Fund on the date the transfer was made.

17 A copy of each report shall be posted on the website of the  
18 Governor's Office of Management and Budget within 2 business  
19 days after the report is delivered the legislative leaders.

20 Section 20. Repealer. This Act is repealed July 1, 2015.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law."